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September 17, 2009

Mrs. Susan M. Hudson, Clerk
Vermont Public Service Board
Drawer 20, 112 State Street
Montpelier, VT 05620-2701

Re: Docket No. 7540: Petition of Department of Public Service for an investigation and for an Order Directing Telephone Operating Company of Vermont LLC d/b/a FairPoint Communications to Show Cause why its Certificate of Public Good Should not be Revoked

Dear Mrs. Hudson:

On behalf of Telephone Operating Company of Vermont LLC d/b/a FairPoint Communications (collectively, "FairPoint"), we are filing one original and six copies of the prefiled testimony and exhibit of Mr. Peter G. Nixon.

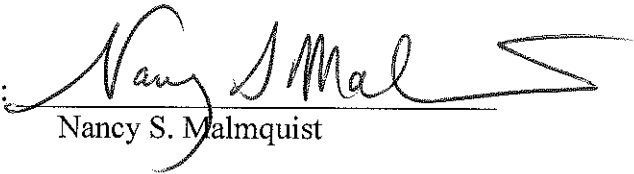
FairPoint is filing this testimony today as agreed at the pre-hearing conference in this docket held on August 10, 2009. The testimony discusses FairPoint's actions to address the post-cutover service issues referenced in the Department's petition dated July 14, 2009, and updates the Board, Department and parties on FairPoint's plans to address remaining service issues.

FairPoint understands that this docket is proceeding as a Board investigation noticed under 30 V.S.A. § 209 and that further steps in this proceeding will be determined at the status conference scheduled for September 30, 2009. The Department's petition requests as relief that the Board issue a show-cause order to FairPoint to show why its Certificate of Public Good should not be revoked. FairPoint opposes this request and understands that the present docket is not a revocation proceeding under 30 V.S.A. § 231. FairPoint will work with the Board and parties to define the scope of the Board investigation under Section 209 and to address the Board's and parties' concerns regarding FairPoint's remaining post-cutover service issues.

By hand delivery, we are serving three copies of this filing on the DPS. By Federal Express, we are serving one copy of this filing on each party of record and individuals on the service list. We have today transmitted to the parties and individuals on the service list electronically copies of this filing in searchable PDF format.

Very truly yours,

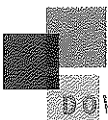
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By: 
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Enclosures

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